

**TRANSPORTATION COMMISSION MEETING MINUTES
MARCH 26, 2015 – 9:30 A.M.
BECKER-HANSEN BUILDING – 700 EAST BROADWAY
PIERRE, SD**

PRESENT: Bob Benson, Chairman
Donald Roby, Vice Chairman
Edward Seljeskog, Member
Rod Fouberg, Member
Ralph Marquardt, Member
Tim Dougherty, Member (via conference call)
Kathy Zander, Member (via conference call)
Ron Rosenboom, Member

DOT STAFF PRESENT: Darin Bergquist, William Nevin, Greg Fuller, Joel Jundt, Kellie Beck, Kristi Sandal, Sam Weisgram, Mike Behm, Ryan Johnson, Christina Bennett, Scott Rabern, Stevie Underberg, and Patricia Saukel

OTHERS PRESENT: Marc Hoelscher - FHWA; Toby Crow – AGC; Larry Engbrecht – SD ACPA; Rick Vallery for Rep. Kristi Noem; and Bob Mercer – press.

The meeting was called to order at 9:32 a.m. by Chairman Bob Benson.

The Chairman changed the order of the agenda by introducing Secretary Bergquist as the first presenter.

Secretary Bergquist spoke to the Commission about the passage of SB1 calling it the very first bill filed in this Legislative session and the last bill considered late on Friday, the last day. Secretary Bergquist gave a brief overview of the amendments passed in the bill which included some of the following:

- Six cents/gallon motor fuel and ethyl alcohol tax increase, effective April 1, 2015.
- License plate fees for non-commercial vehicles over 20,000 pounds increasing from 60%-70% of commercial rates on July 1, 2015 and from 70%-80% on July 1, 2016.
- Counties now have authority to assess tax up to \$5 a wheel tax on vehicles on the actual number of wheels up to a maximum of 12 wheels. Implementation of a wheel tax is optional for each county.
- A new Local Bridge Improvement Grant (BIG) Fund will be created. The legislation requires two sets of administrative rules that the Commission will have to adopt. One governs how the fund is administered. The other is that the bill

requires that for counties to be eligible to apply for a grant, they must impose some type of wheel tax and have a highway plan in place. The Commission will need to adopt rules defining what those highway plans would look like. Those will be presented for Commission consideration shortly. Bergquist anticipates that sometime this fall the first round of applications will appear for the Commission's consideration.

- The SD Department of Transportation, consistent with previous Commission resolution, will swap state road funds for federal road funds for local governments. (Per the resolution, this was contingent upon sufficient additional state highway revenues to support funding for this program.) The details regarding the swap program are being worked out with staff and will be available shortly.
- Counties would be allowed to levy the property tax for the purpose of road funding. The cap amount is broken into three categories. \$.60 for counties that have over \$2 billion in assessed value, \$.90 for those counties with total assessed value between \$1 billion and \$2 billion, and \$1.20 for lower than \$2 billion assessed value.
- Townships will be allowed to assess up to \$0.50 per \$1,000 for road needs.
- Maximum interstate speed limit increased to 80 mph.

An emergency clause is also included in the legislation making most parts of the legislation effective as of April 1st.

Bergquist said one of the topics discussed in committee was what the appropriate split should be for money appropriated for state and local roads. The Commission's track record (grant money, striping programs, safety programs, railroad crossings, etc.) to the locals helped in the discussion. Bergquist explained one argument suggested that since the fund is front-loaded that the Commissioners should do more for local governments than they already are. Others argued the funding provided for state highways should be used to address state highway needs and not for other purposes. Bergquist provided the Commission a couple of possible options to consider should they decide to provide additional local funding out of the \$68 million coming from the state highway fund. Commissioner Dougherty requested the options be put into writing in order for the Commission members to discuss at the regular April meeting.

Bergquist's next item was to inform the Commission about Chairman Benson's proposal to draft letters of appreciation to the Governor and Senator Vehle from all of the Commission members. Those letters will be available for the Commission at their regular April 23 meeting.

A MOTION WAS MADE to draft letters to the Governor and Senator for the Commissioner's signatures by Rosenboom and seconded by Marquardt. All voted aye and motion carried.

There was considerable discussion among the Commission members regarding the new 80 mph speed limit change for the interstates with concern over the safety and the reasoning of the proposed change. It was discussed that any speed limit currently set less than 75 mph stays at that speed and any speed limit currently at 75 mph would change to 80 mph. It was noted that if the Commission members were to lower the speed limit that they could not do so until the new speed limit were to go into effect on April 1.

After considerable discussion on other items of the final bill, Chairman Benson, on the Commission's behalf, thanked Secretary Bergquist for all the hard work he and his staff had done on getting the highway funding bill passed.

A MOTION WAS MADE to approve the minutes of the February 26, 2015 regular meeting and the March 12, 2015 conference call meeting by Roby and seconded by Foberg. All voted aye and the motion carried.

William Nevin of the Office of Legal Counsel asked the Commission to consider approval on the proposed administrative rule change:

70:01:02:29 – Grant County speed zone rule

Nevin stated that he had received three letters and one phone call in support of the rule change.

A MOTION WAS MADE by Roby to adopt 70:01:01:29 – Grant County speed zone rule and seconded by Seljeskog. All voted aye and motion carried.

RESOLUTION #2015-03.01 was adopted.

Nevin then told the Commission that upon further review of rule 70:01:02:00 (Interstate highways speed zone rule in Meade County), the Office of Legal Counsel needed to do more work drafting in the proper form and that they will likely be asking the Commission to set a hearing date at their next meeting.

Greg Fuller, Director of Operations presented the following Construction Change Orders to the Transportation Commission:

Construction change orders approved in February contain an increase of approximately \$695,884.

Over the past 12 months, the overall contract increase is 1.10%.

The following projects have a Construction Change Order (CCO) amounting to a contract change in excess of \$50,000.

ABERDEEN REGION

There are no CCOs amounting to a change of \$50,000 or more to report this period.

MITCHELL REGION

- I.** Project: P 0022(38), Lincoln County, PCN 03JJ
Location: Various Locations in the Sioux Falls Area
Contractor: Dakota Contracting Corporation
Type of Work: PCC Pavement Repair (Joint and Spall)

Original Contract Amount:	\$	692,336.10
Change on CCO No. 5:	\$	410,160.79
Net Change to Date:	\$	652,551.84

Explanation of Change on CCO No. 5: This increase was the result of pavement depths being deeper than were anticipated and estimated for in the plans. Also, there were additional repair locations identified during construction.

PIERRE REGION

- II.** Project: NH-P 0033(14), Bennett County, PCN 03K5
Location: Various locations in the Winner Area
Contractor: Bituminous Paving Inc.
Type of Work: Asphalt Surface Treatment (Chip Seal)

Original Contract Amount:	\$	1,469,743.55
Change on CCO No. 1F:	\$	(56,451.80)
Net Change to Date:	\$	(56,451.80)

Explanation of Change on CCO No. 1F: This increase was the result of normal variations in a number of contract items to match actual field quantities.

RAPID CITY REGION

- III.** Project: P 016A(06)39, Custer County, PCN 00LD
Location: US 16A in the Custer State Park Area
Contractor: Bituminous Paving Inc.
Type of Work: Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing,
Epoxy Chip Seals, Remove Structure, Berm Repair and Drainage Improvement.

Original Contract Amount: \$ 4,334,108.55
Change on CCO No. 4: \$ 103,806.08
Net Change to Date: \$ 131,442.55

Explanation of Change on CCO No. 4: This increase was the result of replacing additional pipe and drop inlets found to be in poor condition which were not included in the original plans quantities.

Chairman Benson commended Fuller on the job that he and his staff are doing regarding the very low percentage of contract increase over the past 12 months.

Joel Jundt, Division Director of Planning and Engineering, presented the following STIP revisions:

FOR COMMISSION APPROVAL

- 15-032** This revision will break out adjacent road improvements that were included with the 2017 Arrowhead Parkway Project in Sioux Falls and will create them as separate projects. The 26th Street portion of this project that starts at SD42 and runs southwesterly 500 feet will be deferred to 2020. Cost estimates were also adjusted.

FY 2017 Plus \$167,000
FY 2020 Plus \$5,578,000

- 15-041** This revision will defer 2015 and 2016 bridge maintenance projects on SD20 and SD47 in Harding and Buffalo Counties to 2017 as work activities are behind schedule.

FY 2015 Minus \$269,000
FY 2016 Minus \$243,000
FY 2017 Plus \$528,000

15-045 This revision will add a 2015 roadway sweeping project on various paved roads in Custer, Lawrence, Meade and Pennington Counties to facilitate good traction during the motorcycle rally.

FY 2015 Plus \$71,000

15-046 This revision will add a 2015 project for clearing and minor grading that will allow the Foundation Crew access to the new Highway 100 alignment at the railroad crossing, Big Sioux River and Slip Up Creek.

FY 2015 Plus \$102,000

A MOTION WAS MADE to approve 15-032, 15-041, 15-045, and 15-046 by Fouberg and seconded by Seljeskog. All voted aye and motion carried.

INFORMATIONAL REVISIONS FOR THE COMMISSION

15-047 This revision added Right of Way and Utilities to the 2015 Grading and Asphalt Concrete Surfacing project on the US14 Connector Road west of I29 and on US14 east of Brookings.

FY 2015 Plus \$3,111,000

15-SC-029 This revision updated the cost estimate of the 2015 construction of turning lanes on US14 at Bushnell Road in Brooking County.

FY 2015 Plus \$214,000

No action was needed by the Commission for the informational revisions.

In lieu of Joel Gengler's absence, Jundt presented the following items from the Right of Way Office for approval:

1. Abandonment – Aurora County

This resolution will abandon the temporary easements on Projects IM 0907(75)293, PCN 02PH.

2. Abandonment – Brule County

This resolution will abandon the temporary easement on Project P 0050(101)245, PCN 03AE.

3. Abandonment – Custer County

This resolution will abandon the temporary easement on Project NH 016A(00)22, PCN 02BK.

4. Abandonment – Custer County

This resolution will abandon the temporary easement on Project NH 0016(00)25, PCN 02BJ.

5. Abandonment – Hutchinson County

This resolution will abandon the temporary easement on Project P 0044(152)355, PCN 02A1.

6. Abandonment – Kingsbury County

This resolution will abandon the temporary easement on Project F 0014(68)3631, PCN A932

7. Abandonment – Lyman County

This resolution will abandon the temporary easement on Project P 090L(06)262, PCN 02WN.

8. Abandonment – Pennington County

This resolution will abandon the temporary easements on Project NH 0016(00)25, PCN 02BJ.

A MOTION WAS MADE to approve Items #1-8 by Rosenboom and seconded by Roby. All voted aye and motion carried.

RESOLUTION #'s 2015-03.2, 2015-03.03, 2015-03.04, 2015-03.05, 2015-03.06, 2015-03.07, 2015-03.08 and 2015-03.09 were adopted.

Sam Weisgram presented the bid letting results from the following March lettings as follows:

March 18, 2015 Letting

Urban Grading, Curb & Gutter, Roadway Lighting, Sidewalk, ADA Upgrades, Storm Sewer, AC Surfacing

1 02R9 P 0020(117)254 Potter, Walworth County
Will take action at the April 9, 2015 conference call
SD20 from 0.4 miles West of Main Street to South of 7th Ave in Hoven

Sanitary Sewer and Watermain Improvement

2 X03F A 5735() Potter, Walworth County
Will take action at the April 9, 2015 conference call
SD20 - from 148th Street to South of 7th Ave in Hoven

Structure & Approach Grading (75' Bulb Tee and 40' Double Tee)

3 6092 P 6253(02) Haakon County
PRAHM CONSTRUCTION INC. \$909,009.30
10.6 miles West & 3.1 miles South of Milesville Over Upper Deep Creek

Grading, Storm Sewer, C&G, Signing, Asphalt Concrete Surfacing, and Pavement Marking

4 051L, 051Q, 051T, 051U P 00SW(16), P 6542(01), P 6542(02), P 6542(03) Perkins County
BITUMINOUS PAVING INC \$2,233,474.33
Railway Street from the Railroad Crossing to Main Street in Lemmon

Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Curb Ramp Modifications, Pedestrian Signal Improvements, Intersection Signal Improvements, and Pavement Markings

5 03WP P 3313(13) Brookings County
BOWES CONSTRUCTION INC \$965,457.35
Main Ave. S. from 8th Street S. south 1.0 miles to 20th Street S. in Brookings

Deck Overlay, Epoxy Chip Seal, Joint Modification, Deck & Curb Repair, Fatigue Retrofit

6 04VW IM 0901(188)30 Meade County
J V Bailey Co Inc \$818,075.64
I90 - Exit 30 Over US14A; 0.1 mile NW of Exit 32 over Vanocker Canyon/DM&E RR; Exit 32 over Junction Ave at Sturgis; 0.2 miles SE of Exit 30 over DM&E RR; 3.2 miles NW of Exit 40/Tilford Road under Pleasant Valley Road; & Exit 40/Tilford Road

Culvert Repair

7 041U P 0031(27) Stanley County
SHARPE ENTERPRISES, INC. \$166,991.10
Various Locations in the Pierre Area

Asphalt Concrete Resurfacing and Culvert Work

8 04E2 NH 0050(112)396 Clay County
DUININCK, INC \$3,442,222.54
SD 50 EB lane, from the Yankton Co Line E to the End of the Divided Hwy

Cold Milling Asphalt Concrete & Asphalt Concrete Resurfacing

9 04E4 NH 0012(185)121 Corson County
Anderson Western Inc. \$2,601,936.01
US12 from 9 miles west of McIntosh to the west City Limits of McIntosh

Asphalt Concrete Resurfacing

10 0366 NH 0081(99)135 Hamlin County
McLaughlin & Schulz, Inc. \$2,855,712.60
US81 - From the South Jct. of SD28 to the South Jct. of SD22

Asphalt Surface Treatment (Chip Seal)

11 048A P 0012(181) Grant, Hamlin, Roberts County
McLaughlin & Schulz, Inc. \$1,686,648.70
Various Routes in the Watertown Area

Asphalt Surface Treatment (Chip Seal)

12 047L IM-NH-P 0021(155) Aurora, Brule, Buffalo, Charles Mix, Davison, Gregory, Hanson, Hutchinson,
Jerauld, McCook, Minnehaha, Sanborn County
BITUMINOUS PAVING INC \$4,943,154.85
Various Routes in the Mitchell Area

Asphalt Concrete Crack Sealing

13 048T NH 0073(67)37 Bennett, Jackson County
ROADWAY SERVICES INC \$57,473.04
SD73 from the Bennett/Jackson County Line to the SD248 JCT

Joint and Spall Repair

14 04R9 NH 0041(153) Butte, Lawrence County
COMPLETE CONCRETE, INC. \$2,129,187.89
US85 N&S from North of Spearfish to the End of the Divided Lanes South of Belle Fourche

A MOTION WAS MADE to approve bids for Projects #3, #4, #5, #6, #7, #8, #9, #10, #11, 12 and #14 was made by Dougherty and seconded by Zander. All voted aye and motion carried.

A MOTION WAS MADE to approve the bid for Project #13 by Marquardt and seconded by Roby. All voted aye and motion carried.

The Department had no recommendation at this time for Projects #1 and #2 and it was decided to defer action until the April 9, 2015 conference call.

March 25, 2015 Letting

Urban Grading, Roadway Lighting, Storm Sewer, Curb & Gutter, Sidewalk, Traffic Signals, PCC Surfacing; Deck Overlay, Approach Slabs, Approach Guardrail & Berm Repair

1 6926 NH 0050(99)381 Yankton County
Will take action at the April 9, 2015 conference call
SD50 east of 4th Street, from the south Jct of US81 east to Ferdig Ave in Yankton

City Utilities

2 X03G ES 2014 003() Yankton County
Will take action at the April 9, 2015 conference call
SD50/East 4th Street, from the south jct of US81 East to Ferdig Ave in Yankton

Shoulder Widening, Cold Milling Asphalt Concrete, Grading, Asphalt Concrete Surfacing, & RCBC Extension

3 035U, 04D3, 035T NH 014B(04)418, IM 0295(39)132, NH-P 0014(184)418 Brookings County
BOWES CONSTRUCTION INC \$6,563,239.54
US14B through Brookings, US14 from the Jct with US14B south 1 mile, US 14 from 1 mile east of the Exit 132 east 2 miles, and US 14 at the SD/Minn State Line

Asphalt Surface Treatment (Chip Seal)

4 047J NH-P 0013(28) Beadle, Buffalo, Spink County
The Road Guy Construction Company Inc \$1,459,352.00
Various Routes in the Huron Area

Asphalt Surface Treatment (Chip Seal)

5 048D NH-P 0023(41) Bon Homme, Hutchinson, Lincoln, Turner, Union County
The Road Guy Construction Company Inc \$1,574,188.10
Various Routes in the Yankton Area

A MOTION WAS MADE to approve the bids for Projects #3, #4, and #5 by Rosenboom and seconded by Seljeskog. All voted aye and motion carried.

The Department had no recommendation at this time for Projects #1 and #2 and it was decided to defer action until the April 9, 2015 conference call.

With no other business to come before the Commission, the meeting was adjourned at 10:34 a.m.

Submitted by:

Patricia A. Saukel
Recording Secretary

Approved by:

Darin P. Bergquist
Secretary of Transportation